

EXHIBIT N

10:02AM 1 LET MS. RIDER SIT DOWN FIRST SO THERE WILL NOT BE A
10:03AM 2 DISTRACTION.
10:03AM 3 ARE YOU READY?
10:03AM 4 MS. KAMATH: YES.
10:03AM 5 THE COURT: ALL RIGHT. YOUR TURN.
10:03AM 6 **CROSS-EXAMINATION**
10:03AM 7 BY MS. KAMATH:
10:03AM 8 Q. GOOD MORNING, MR. BERRYHILL.
10:03AM 9 HOW ARE YOU TODAY?
10:03AM 10 A. GOOD MORNING.
10:03AM 11 Q. YOU WORKED AT THE AIR FORCE; RIGHT?
10:03AM 12 A. I USED TO. I NO LONGER DO.
10:03AM 13 Q. YOU USED TO?
10:03AM 14 A. YES.
10:03AM 15 Q. ARE YOU A TRADE SECRET EXPERT?
10:03AM 16 A. IN THE DETERMINATION OF WHAT CONSTITUTES A TRADE SECRET?
10:03AM 17 NO.
10:03AM 18 Q. ARE YOU A MISAPPROPRIATION EXPERT?
10:03AM 19 A. NO.
10:03AM 20 Q. DO YOU HAVE ANY LEGAL BACKGROUND?
10:03AM 21 A. NO.
10:03AM 22 Q. YOU STATED EARLIER THAT YOU THOUGHT CERTAIN THINGS WERE
10:03AM 23 TRADE SECRETS; RIGHT?
10:03AM 24 A. NO. WHAT I SAID WAS THINGS WERE REPRESENTED TO ME TO
10:03AM 25 POSSIBLY BE TRADE SECRETS, AS IN THE KIND OF INFORMATION THAT

10:03AM 1 AN ATTORNEY WOULD BE SEARCHING FOR, AND I WOULD USE THAT AS MY
10:03AM 2 GUIDANCE TO FIND POTENTIAL INFORMATION AND THEN PROVIDE IT TO
10:03AM 3 THEM FOR THEIR OWN EVALUATION.

10:03AM 4 Q. OKAY. YOU STATED THE KINDS OF INFORMATION REPRESENTED TO
10:03AM 5 YOU; RIGHT?

10:04AM 6 A. THAT WOULD BE ONE THING, YES.

10:04AM 7 Q. OKAY. SO YOU'RE LOOKING FOR SPECIFIC TYPES OF INFORMATION
10:04AM 8 THAT AN ATTORNEY ATTESTED TO YOU TO BE SOME KIND OF,
10:04AM 9 QUOTE-UNQUOTE, "TRADE SECRET"?

10:04AM 10 A. THEY PROVIDE A STARTING POINT FOR MY SEARCHES, AND THEN I
10:04AM 11 PROVIDE THE RESULTS OF MY SEARCHES.

10:04AM 12 Q. AND SO YOU'RE SEARCHING FOR INFORMATION FROM AN ATTORNEY;
10:04AM 13 RIGHT?

10:04AM 14 A. NO. I AM SEARCHING THE EVIDENCE PROVIDED USING THE
10:04AM 15 INFORMATION FROM THE ATTORNEY AS THE GUIDANCE TO HELP WHITTLE
10:04AM 16 DOWN THE QUANTITY OF INFORMATION SO THAT IT BECOMES A
10:04AM 17 REASONABLE AMOUNT OF INFORMATION THAT A HUMAN CAN LOOK AT.

10:04AM 18 Q. AND WHO WAS THAT ATTORNEY?

10:04AM 19 A. IT WAS PRIMARILY MR. LI.

10:04AM 20 Q. JAMES LI?

10:04AM 21 A. YES.

10:04AM 22 Q. JIM LI?

10:04AM 23 A. YES.

10:04AM 24 Q. FROM LI LAW INC.?

10:04AM 25 A. YES.

10:04AM 1 Q. AND JAMES LI PROVIDED YOU A LIST AND YOU STARTED SEARCHING
10:05AM 2 FOR THAT KIND OF INFORMATION IN TERMS OF WHITTILING DOWN THE
10:05AM 3 QUANTITY FROM SOMETHING THAT IS --
10:05AM 4 A. VERY LARGE.
10:05AM 5 Q. -- LARGE?
10:05AM 6 A. VERY LARGE.
10:05AM 7 Q. SO YES OR NO?
10:05AM 8 A. YES.
10:05AM 9 Q. OKAY. SO YOU WERE NOT NECESSARILY ON YOUR OWN THINKING
10:05AM 10 YOU WERE LOOKING FOR TRADE SECRETS, BUT ONLY ASSISTING JAMES LI
10:05AM 11 LOOK FOR INFORMATION THAT HE HAD PROVIDED TO YOU IN A LIST?
10:05AM 12 A. IN A BROAD SENSE, YES.
10:05AM 13 BUT AN EASIER THING TO THINK ABOUT WOULD BE TO SIMPLY SAY
10:05AM 14 THAT ONE OF THE THINGS THAT I WAS ASKED TO LOOK FOR WAS
10:05AM 15 CUSTOMER INFORMATION SO THAT I COULD LOOK FOR VARIOUS WORDS AND
10:05AM 16 PHRASES THAT RELATE TO THAT TO FIND THINGS THAT MIGHT BE
10:05AM 17 CUSTOMER INFORMATION AND PROVIDE THAT INFORMATION TO HIM.
10:05AM 18 MAYBE I GIVE HIM THE DOCUMENT THAT HE'S LOOKING FOR IN
10:05AM 19 WHAT WE'VE LOOKED AT AS EXHIBITS.
10:05AM 20 THERE MIGHT HAVE BEEN OTHER THINGS THAT I PROVIDED HIM
10:05AM 21 WHERE WE LOOKED AT IT AND GO, NO, THAT'S NOT WHAT WE'RE LOOKING
10:06AM 22 FOR.
10:06AM 23 Q. DID JAMES LI TELL YOU TO LOOK AT CUSTOMER INFORMATION, OR
10:06AM 24 DID HE TELL YOU TO LOOK AT TRADE SECRETS?
10:06AM 25 A. WELL, THE TRADE SECRET IS A VERY BROAD TERM. HE DIDN'T

10:06AM 1 TELL ME TO LOOK FOR TRADE SECRETS.

10:06AM 2 HE TOLD ME, YES, WE'RE LOOKING FOR TRADE SECRET
10:06AM 3 INFORMATION, AND THAT'S THE OVERALL GOAL, OBVIOUSLY. THAT'S
10:06AM 4 THE PURPOSE OF THE LITIGATION.

10:06AM 5 BUT IN ORDER FOR ME TO FIND INFORMATION THAT COULD
10:06AM 6 POTENTIALLY BE THAT TRADE SECRET INFORMATION THAT HE'S LOOKING
10:06AM 7 FOR, I NEED SOME CLUES, SO GIVE ME WORDS AND PHRASES, LIKE
10:06AM 8 "CUSTOMER," OR PERHAPS GIVE ME THE NAMES OF SOME CUSTOMERS THAT
10:06AM 9 I CAN USE IN MY SEARCHES TO POSSIBLY LOCATE DOCUMENTS AND FILES
10:06AM 10 THAT MIGHT BE RELEVANT TO THE CASE.

10:06AM 11 Q. SO YOU STATED POTENTIALLY. THAT DOES NOT MEAN IT IS A
10:06AM 12 TRADE SECRET IN YOUR EXPERT OPINION; RIGHT?

10:06AM 13 A. CORRECT.

10:06AM 14 Q. CORRECT AS IN?

10:06AM 15 A. I DON'T MAKE THE DETERMINATION IF SOMETHING IS A TRADE
10:06AM 16 SECRET.

10:06AM 17 Q. OR NOT?

10:06AM 18 A. CORRECT.

10:06AM 19 Q. SO YOU WERE LOOKING FOR CUSTOMER INFORMATION AND KEY WORDS
10:06AM 20 AND SEARCH WORDS DURING YOUR EXPERTISE; RIGHT?

10:07AM 21 A. DURING MY SEARCHES, YES.

10:07AM 22 Q. YOU TALKED ABOUT AN EXCEL SPREADSHEET FROM DECEMBER 2019
10:07AM 23 TO FEBRUARY 2020; RIGHT?

10:07AM 24 A. YES.

10:07AM 25 Q. IN YOUR SEARCHES, DID YOU FIND ANY PRIOR EXCEL

10:07AM 1 SPREADSHEETS SIMILAR TO THE DECEMBER 2019 TO FEBRUARY 2020?

10:07AM 2 A. NOT THAT I RECALL.

10:07AM 3 Q. DID YOU SEARCH FOR IT?

10:07AM 4 A. IT WOULD HAVE BEEN INCLUDED IN MY SEARCHES, YES.

10:07AM 5 Q. AND YOU DIDN'T FIND IT?

10:07AM 6 A. I DON'T RECALL FINDING IT.

10:07AM 7 Q. ONE THING THAT CAME UP IS THAT THE EXCEL SPREADSHEET IS A
10:07AM 8 GROWING LIST THAT WAS CREATED FROM 2014.

10:07AM 9 BASED ON YOUR SEARCH AND REVIEW OF THE DECEMBER 2019 TO
10:08AM 10 FEBRUARY 2020 EXCEL SPREADSHEET, DID YOU FIND THAT IT WAS PRIOR
10:08AM 11 CREATED AT A PREVIOUS POINT IN TIME?

10:08AM 12 A. ALMOST ALL OF THESE DOCUMENTS ARE WORKING DOCUMENTS.
10:08AM 13 THEY'RE ORIGINALLY CREATED AND THEN ADDED TO OVER TIME.

10:08AM 14 WHEN I FIND THEM OR FIND THE COPIES OF THEM, THAT'S THE
10:08AM 15 SNAPSHOT IN TIME OF THE WAY THAT DOCUMENT EXISTS WHEN I FIND
10:08AM 16 IT.

10:08AM 17 AND, YES, MOST OF THEM HAD BEEN CREATED SOMETIME IN THE
10:08AM 18 PAST.

10:08AM 19 Q. SO IT IS POSSIBLE THAT THE DECEMBER '19 TO FEBRUARY 2020
10:08AM 20 EXCEL SPREADSHEET WAS CREATED AT A PRIOR TIME ON ANY SERVER?

10:08AM 21 A. AGAIN, GOING BACK TO WHAT I SAID ABOUT CREATION DATES,
10:08AM 22 THERE ARE TWO DIFFERENT KINDS OF CREATION DATES.

10:08AM 23 THE CREATION DATE OF WHEN THE FILE ITSELF WAS PUT TOGETHER
10:09AM 24 AND CONSTITUTED AS A FILE IS ONE TYPE OF CREATION DATE, AND
10:09AM 25 THAT CAN BE MORE DIFFICULT TO DETERMINE.